HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 338 OF 2006

Siddharth H. Gholap. ..Petitioner.
Versus.
Suvarna S. Gholap. ..Respondent.

Shri.A.L.Gore for the Petitioners.

CORAM: S.B.MHASE, J.
DATE : MARCH 6, 2006.

P.C.

1. Heard. The order dated 24.06.2005 granting interim alimony and expenses under section 24 of the Hindu Marriage Act, 1955 is under challenge. Equally the order dated 18.10.2005 rejecting to stay the proceedings under section 10 of the Code of Civil Procedure, 1908 is also under challenge. In fact, on perusal of the order passed under section 24 of the Hindu Marriage Act it is abundantly clear that after having taken into consideration the income of the parties, the order in question has been passed whereby Rs.2000/- has been granted by way of maintenance pendente lite and Rs.3000/- towards the expenses. The petitioner is admittedly in service in Hindustan Petroleum. I find that taking into consideration the income of husband, the impugned order has been passed. Another application to stay the proceedings filed by the wife

has been rejected on a ground that earlier divorce petition filed by the petitioner - husband is pending. In my opinion, that cannot be a ground for stay of the subsequent petition and that has been rightly rejected by the Court below. No interference is called for. Petition is accordingly dismissed.

(S.B.MHASE, J.)